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Office of Legislative Counsel

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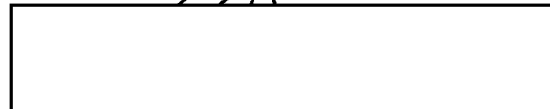
Mr. Simon Lazarus
Associate Director
Domestic Policy Staff
The White House
Washington, D.C. 20500

Dear Si:

Thank you for providing me a copy of the "Administration Fact Sheet on Title II of the Ethics in Government Act (H.R. 1)" last week. The opposition stated therein to the "Mazzoli amendment" is, of course, fully in accord with our position.

As I mentioned to you last week, we have been in contact with Representative Mazzoli's staff and with the staff of the House Permanent Select Committee on Intelligence in an effort to develop an amendment to subsection 205(a) of the bill that would meet the Congressman's concerns and reflect our needs on the matter of financial reports by intelligence officers. We have, in fact, worked out such an amendment. It was placed in the Congressional Record on 20 September 1978; a copy is enclosed. We will keep you advised if anything else develops in this matter. Thank you for your help.

Sincerely,



Assistant Legislative Counsel

Enclosure

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ment and training programs on a part-time or flexible-time basis.

"(e) Participants in programs authorized under this section shall be individuals over the age of forty who are unemployed, underemployed, or economically disadvantaged, who have a family income (exclusive of any income received under a Federal or State welfare or unemployment program) which is not in excess of 125 percent of the Bureau of Labor Statistics lower living income level.

"(f) For the purposes of carrying out this section, the Secretary shall reserve from funds available for this title not more than 10 percent of the amount allocated pursuant to section 202(a).

"(g) No provision of this section shall be construed as intending any diminution of the employment and training opportunities available to workers over 40 years of age under titles II, VI, and VII of this Act."

Conform the table of contents accordingly.

H.R. 12452

By Mr. WOLFF:

—On page 72 between lines 12 and 13 insert the following new subsection:

"(28) The term 'special consideration' as used in section 121(b)(2)(A) means such employment, training, supportive services, technical assistance and training, support for community based veterans programs, and maintenance and expansion of private sector veterans employment and training initiatives and such other programs or initiatives as are necessary to serve the unique readjustment, rehabilitation, and/or employment needs of veterans."

H.R. 12611

By Mr. McHUGH:

—Page 117, line 14, at the end thereof, insert the following new subsections to the proposed new section 419:

"ESSENTIAL AIR TRANSPORTATION"

"(e)(1) For the purposes of this section, 'essential air transportation' means scheduled air transportation of persons of the extent, character, and quality which the Board finds necessary to satisfy the needs of the community concerned for air transportation to one or more communities of interest and to insure the community's access to the Nation's air transportation at rates, fares, and charges which are not unjust, unreasonable, unjustly discriminatory, unduly preferential, or unduly prejudicial."

"(2) In no case shall the extent of essential air transportation be determined by the Board to be less than two daily round trips, five days per week, to at least one community of interest."

"(3) In determining the criteria for the character and quality of essential air transportation, the Board shall consider the community's needs for among other services, the frequency of service, the advance reservation of passenger seats, baggage handling and insurance, pressurized or other specialized equipment, timely departures and arrivals, joint fares, and the establishment of single plane or connecting plane service to points beyond the primary community or communities of interest."

"(4) As soon as practicable after enactment of this section, but no later than Jan-

uary 1, 1980, the Board shall, by rule, and after the consultation required by subsection (c), establish the criteria for essential air transportation for all points specified in subsection (a)(1).

"CONTINUITY OF GUARANTEED ESSENTIAL AIR TRANSPORTATION"

"(f)(1) No air carrier shall terminate, suspend, or reduce air transportation to any point specified in subsection (a)(1) below the standards of essential air transportation established by the Board unless such air carrier has given the Board, the appropriate State agency or agencies, and the communities affected at least 90 days notice of its intent to do so.

"(2) Upon receipt of a notice required by subsection (f)(1) for a point specified in subsection (a)(1), the Board shall require the air carrier to postpone such termination, suspension, or reduction in service until another air carrier has begun to provide essential air transportation. If the Board requires an air carrier to postpone an intended service change for more than 90 days, then the Board shall, in accordance with the procedures of subsection (b), compensate such air carrier for any losses that the air carrier demonstrates that it incurred in complying with this requirement, unless such air carrier is already provided compensation under this section or section 406.

"(3) With respect to any point specified in subsection (a)(1), unless the Board has completed the consultation required by subsection (c) and determined the essential air transportation for such point, either individually or by rules adopted under (e)(4), the Board shall, upon petition of any appropriate representative of such point, prohibit any termination, suspension, or reduction of air transportation which reasonably appears to deprive such point of essential air transportation, until the Board has completed such determination.

"(4) The Board's authority under this subsection shall cease to be in effect on the last day of the tenth year which begins after the date of enactment of this section."

Page 117, line 18, insert the following items at the end thereof:

"(e) Essential Air Transportation
"(f) Continuity of Guaranteed Essential Air Transportation"

H.R. 13059

By Mr. FITHIAN:

—Page 39, after line 22, insert the following:

"(c) The Lafayette Dam and Reservoir, Wabash River, Indiana, authorized by section 204 of the Flood Control Act of 1965 (Public Law 89-298), is not authorized after the date of enactment of this Act."

H.R. 13850

By Mr. MAZZOLI:

—On page 32, strike out lines 2 through 6 and insert in lieu thereof:

"States. Notwithstanding any other provision of this part, reports filed by such individuals shall be reviewed solely by the Director of the Office of Government Ethics under security procedures determined by the Director of Central Intelligence and ap-

proved by the President. In addition, such individuals may be authorized, notwithstanding section 204(a), to file such additional reports reflecting an ostensible employer and salary as are necessary to protect the identity of such individuals from public disclosure if the President first finds that such filing is necessary in the national interest."

H.R. 14042

By Mr. ANDERSON of California:

—Page 39, after line 3, insert the following new section:

ASBESTOS STUDY

The Secretary of the Navy shall conduct a study analyzing the effects of asbestos on Naval civilian and military personnel, evaluating present standards of permissible levels of asbestos in shipyards, the need for asbestos in new ships, the feasibility of removing asbestos in presently commissioned ships, and promulgating a possible timetable for implementing such a removal.

This study shall be submitted to the President and the Congress not more than 180 days after enactment.

There are authorized to be appropriated such funds as may be necessary to conduct this study.

H.R. 14042

By Mr. WOLFF:

—On page 39 after line 3 add the following new section:

Sec. 818. (a) The Secretary of Defense shall report to the Congress at the end of fiscal year 1979 what efforts he has taken during the fiscal year to formulate a productivity plan with respect to personnel needs and what efforts he has taken during the fiscal year to gather productivity data under that plan upon which to base personnel requests for subsequent fiscal year authorizations.

(b) The Secretary of Defense shall make such plan and data available to the Congress at the end of fiscal year 1979."

H.R. 15039

By Mr. VOLKMER:

—Page 85, following line 12, insert the following new section:

Sec. 185. Section 221 of the Flood Control Act of 1970 (Public Law 91-611), as amended (42 U.S.C. 1963 d-5b) is further amended as follows:

Insert the following new sentence at the end of section 221(b): "Where the non-federal interest is the State itself, performance and payment of damages may be contingent upon the legislative appropriations process of the States."

Delete the period at the end of the sentence contained in section 221(f) and add the following words at the end of that sentence: "or to contract with non-Federal interests for water supply storage under the Water Supply Act of 1958 (Public Law 85-500), as amended, (43 U.S.C. 39b) or for recreational development under the provisions of the Federal Water Project Recreation Act of 1965 (Public Law 89-72), as amended (16 U.S.C. 4601-12 et seq.)"

Renumber succeeding sections accordingly.

